

Placement shall be in the least restrictive setting needed to serve the child's best interests and special needs.

Section 210.565, RSMo, requires the Division to give preference and first consideration for foster care placement to a grandparent of a child. If grandparents are not available or are not interested in caring for their grandchild, other kinships should be given first preference and first consideration over non-related placement providers, **if the court has determined that relative placement is not contrary to the best interests of the child. The Court of jurisdiction must make specific findings on the record detailing why placement with a relative is not in the best interests of the child.**

Placement shall be in reasonable proximity to the child's parents while accommodating the child's special needs. Siblings and a minor parent with a child should be placed together when possible.

Placement shall be in a licensed home which has a contract with this Division to provide foster care, foster/adoptive care, residential treatment, and family group home services.

Placement shall be made with a family that can best meet the needs of the child including the preservation of the child's cultural identity.

1. Possible placement resources with recommendations regarding the type of child or case plan goal appropriate for the selection of the particular placement resource.

Generally, the Division, through licensure and contract, has developed alternative care resources for children in its care and custody. The selection of an appropriate resource depends on the complexity of the child's treatment needs and case plan. Each of the following resources, generally, follow an ascending order in capacity to meet the child's level of treatment needs. In certain instances, a resource to meet the child's needs may not be available or cannot be developed.

Adoption can become the permanency goal at any time for any child in Children's Division (CD) custody and out-of-home care. Adoptive family placement or adoption by a foster/kinship family should be the placement of choice when this occurs.

Refer to each resource description for a more detailed discussion of the characteristics of the child's situation for which the resource is appropriate.

- a. **Missouri Statute, 701.336, Section 1.1 RSMo, states children shall be promptly returned to the care and custody of a non-offending parent entitled to physical custody of the child:**

Related Subject: Chapter 4.2 of this section, Guidelines for Initial Placement Resource Selection.

- b. Non-custodial parent or kinship family: This resource is recommended for the child who has few problems and the resource is supportive of the case plan.

Eligible grandparents can qualify for a maintenance payment and special needs reimbursements, based on the current foster care schedule, without having legal custody of the child. **A relative home foster care license is required.**

If a grandparent does have either legal custody or legal guardianship and is 50 years of age or older, he/she may qualify under the Grandparents as Foster Parents (GAFP) program. The child must meet a needs test. This is an excellent resource for grandparents and children whose only need for assistance is financial.

If no grandparent is willing to participate in the GAFP program, eligible kin, age 50 or older, who obtain either legal guardianship or legal custody, may also qualify for the GAFP program.

Grandparents who are under 50 years of age may be eligible to participate in the GAFP program, however the level of assistance is limited.

The subsidized guardianship program provides eligible kin with the same services that adoptive parents would receive under the Missouri adoption subsidy program. Kin who qualify for this type of subsidy are grandparents, aunts, uncles, adult siblings **and adult first cousins to the child** who have legal guardianship of a qualified minor child. A qualified child is a child who is, or has previously been, in the custody of one of the following: CD, DYS, DMH or a licensed private child caring/placing agency, and who meets the special needs requirements.

- a. Foster family: This resource is recommended for the child who is normal or near normal or where little is known about the child and his/her needs. It is also appropriate for the child who has received more complex types of treatment services and is preparing to move out of out-of-home care services.
- b. Foster family group home: This resource is recommended for the child who is a member of a sibling group or where the child can tolerate and use peer support and needs to have easy access to school, friends, and community resources.
- c. Level "II" (moderate) residential treatment services: Child has mild to moderate social, behavioral, educational, and emotional problems, is in need of a diagnostic assessment, but can tolerate an "open" environment.

- d. Level "III" (severe) residential treatment services: Child's emotional disturbance is so severe as to require comprehensive, intensive treatment and services, and a structured, supervised environment.
- e. Level "IV" (intensive) residential treatment services: The child may have been in a psychiatric hospital and/or the child's emotional/behavioral disturbance is so severe as to require a level of care more intensive than that provided in level "III" residential treatment services.
- f. There is an interagency agreement between CD and the Division of Mental Retardation and Developmental Disabilities (DMR-DD) to provide assistance with the placement of a child when all other appropriate placement resources have been explored and are not available. Such a child should have a dual

diagnosis of mental retardation or another developmental disability and a behavioral/conduct disorder.

Related Subject: Chapter, 11 of this section, Financial Support Planning.

- Prior to the placement and during the term of any residential placement, CD and DMH case managers will work jointly on permanency planning for the child when appropriate;
 - Children will remain in CD custody; however, at the end of the initial 12 month period, DMH regional staff and the CD case manager shall meet to review each case to determine which agency should maintain custody;
 - For the initial year of placement, payments will be made by CD. The payments will be made directly to the provider. The source of payment beyond the first year will depend on which agency maintains custody;
 - CD and DMH will maintain joint case managerial responsibility for children referred to DMH for placement.
- h. Adoptive family: The child's case plan goal is adoption.

NOTE: It may be necessary to place a child with an approved adoptive family who needs temporary financial assistance until the adoption is final or the adoption subsidy agreement is approved for an eligible child. In this situation, the family must meet the requirements for a foster/adoptive assessment/licensing.

2. A non-custodial parent or kinship family should be given first consideration as stipulated in section 210.565, RSMo, if several of the following apply:

- a. Child has no serious emotional, physical or behavioral problems that the non-custodial parent/kin relationship is unable to handle;
- b. Careful evaluation indicates the non-custodial parent/kin will be supportive of the goals of the placement;
- c. It appears that the child may be more accepting of separation from his parent(s) if he/she were to be placed with non-custodial parent/kin with whom he/she is more familiar;
- d. Child has some positive relationships formed with the non-custodial parent/kin and is already familiar with the life style and expectations of the family;
- e. Child, by this association, feels that he/she is still maintaining some relationship with his/her parent(s);
- f. Evaluation of the non-custodial parent/kinship home indicated that it would not perpetuate the same negative family patterns necessitating the need for placement;
- g. Geographic proximity of the non-custodial parent/kin's house allows for continued planned involvement with the child's parent(s).
- h. Relative/Kin or anyone in the home has not been convicted of certain felony offenses in chapters 566 or 568 listed in the kinship licensing requirements located in Section 4, Chapter 12.3 of this manual.

Related Subject: Chapter, 12.3 of this section, Agency Arranged Kinship Care.

If a kinship placement cannot be considered, document thoroughly in the case record the reasons a placement cannot be made.

Reference Sectin 7.29 Glossary/Reference chapters 566 and 568.

- 3. A foster family should be considered if several of the following apply:
 - a. No suitable non-custodial parent/kinship family resource can be developed;
 - b. Child is very young (under 6) and is normal or near normal in development;

- c. Child is of school age and is normal or near normal in development and/or has limited personality, health, and physical handicaps;
- d. Child of any age who can profit by placement in a family setting and in a community where access is available to schools, friends, and resources;
- e. Immediate placement is necessary, and a diagnosis and treatment plan is needed;
- f. Family's situation indicates that the child will be able to return to his/her own home within a short time, or time is needed to select an adoptive home or other permanent placement for the child;
- g. Child has been in residential care and placement with a family will ease the transition from residential facility to the child's own home or other permanent placement;
- h. Child is pregnant and unmarried, needs to work through related problems with own family;
- i. A young child just placed in Division custody is legally free, or almost legally free, for adoptive placement and an assessment of the child's physical and/or emotional condition is required.

4. Issues to be considered in selecting a particular foster family:

- a. Proximity of the foster home to child's family in order to facilitate visitation and reunification;
- b. Extent to which the foster family can accept the child's relationship with his family and can deal adequately with situations which may arise from that relationship;
- c. Ability of foster family to preserve the child's cultural identity.
- d. Extent to which interests, strengths, and abilities of foster family enable them to relate to child's needs, including his individual problems, age, interests, intelligence, moral and ethical development, family relationships, educational status, social adjustment, and plans for the future;
- e. Extent to which the foster family can meet the needs of a sibling group, in order to avoid the separation of siblings;

<p>NOTE: There should be no more than six children in a foster home. If, by placing a sibling group in the home, the allowable placement limit is exceeded, no other children shall be placed in the home until the home is again within allowable capacity.</p>
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- f. Proximity of foster family to specialized services or facilities which child may need.

5. A foster family group home should be considered if several of the following apply:

- a. Child is at least six (6) years of age or younger, if part of a sibling group, and needs can best be served by keeping the children together;
- b. Child is mildly to moderately acting out and can benefit from peer support in a group setting;
- c. Child can tolerate sharing adult attention with other children;
- d. Child does not need intensive therapy or structured supervision;
- e. Child can profit by placement in a family setting which provides access to school, friends, and resources available in a community;
- f. Child has been in residential care and placement with a family will ease the transition from this care to the child's own home or other permanent placement;
- g. Child is pregnant and unmarried and needs to maintain confidentiality or work through related problems with own family.

6. A level "II" (moderate need) residential treatment facility is for children generally typified by several of the following:

- a. Child has mild to moderate social, behavioral, educational, and emotional problems;
- b. Child is in need of a diagnostic assessment;
- c. Child needs assistance in educational, religious, recreational and/or socialization experiences;
- d. Child displays behaviors such as, running away, school truancy, incorrigibility, sexual misconduct, drug experimentation, physical display of intense anger, verbal or physical abuse toward authority figures;
- e. Child is of average intelligence and exhibits adequate responses to reality testing, and can function in a regular or alternate community school or can benefit from on-site tutorial or educational services where available;

- f. Child needs structure and supportive services not available in a foster family or foster family group home
- g. Child is emotionally disturbed and his/her past experience is such that he/she is unable to be supported in a foster family or adoptive home;
- h. Child is in need of more structure, but still can be supported in an open environment, where he/she can be studied and observed by the child care staff, social workers, psychiatrist, and psychologists, and where a diagnosis can be made and treatment plan can be developed and implemented;
- i. Child and family are in need of family and group counseling and/or social work services as part of the comprehensive case plan.

7. A level "III" (severe need) residential treatment facility is for children generally typified by several of the following:

- a. Child's emotional disturbance is so severe as to require comprehensive, intensive treatment and services (i.e., psychotherapy, both individual and group; educational training, vocational training, social and cultural enhancement, after-care services) and structured supervision;
- b. Child and family need "family therapy";
- c. Child is in need of psychological/psychiatric diagnostic assessment;
- d. Child has serious behavior deviations (i.e., severely aggressive, chronic enuresis or soiling, chronic running away, fire setting, sexually acting out, bizarre sexual behavior, chronic truancy, incorrigibility, drug usage, suicidal gestures, chronic nightmares, extreme temper tantrums, severe relational problems);
- e. Child is depressed, has low frustration tolerance, neurotic and personality disorders, psychosomatic illnesses, retarded emotional development, mild or severe forms of anorexia and thought or affect disorders, i.e., jumbled speech pattern, inappropriate response;
- f. Child is a danger to self or others, or is severely withdrawn;
- g. Child cannot function in a public school setting because of his acting-out behavior and/or severe learning deficits;
- h. Child needs extensive professional help in areas of social skills, learning skills, and/or motor skills;
- i. Child exhibits behaviors that require a highly structured setting providing intensive treatment services.

NOTE: The degree of severity of these conditions may indicate that hospitalization may be more appropriate. The Children's Service Worker should seek additional supervisory or consultation assistance when considering whether referral for hospital care is needed.

Placement in a psychiatric hospital must have the approval of the Area Director if it is to continue beyond the number of days permitted by the psychiatric diagnosis. Area Directors must notify the Deputy Director/Children's Services of such decisions.

10. A level "IV" (intensive need) residential treatment facility is for children generally typified by:

NOTE: When authorizing this service on the CS-67A, use the service code "PSYR."

- a. Previously receiving care in an acute-care hospital, but who do not currently need in-patient psychiatric treatment; or
- b. Having treatment needs which cannot be met by any of the residential care facilities contracted with the state to provide level "III" (severe need) care; and
- c. Demonstrating treatment needs which require the following services:
 - Psychiatric supervision and review of the child's individual treatment wherein the psychiatrist's physical contact with the child occurs no less than once every 30 days;
 - Treatment encompassing a coordinated plan using at a minimum, group and individual therapeutic modalities consistent with the needs of the child; and
 - Classroom education (required by law) provided in a school located at the provider's facility.

11. Selection of an adoptive family should be considered if several of the following apply:

- a. Child is healthy or the selected family can accept any risks;
- b. Child is legally free or very likely to be legally free and the selected family accepts the minimum legal risks; i.e., the biological parents are making a voluntary decision to release the child for adoption;

- c. The goal of adoption is established for the child at entry into CD custody, but termination of parental rights (TPR) is not complete;
- d. The goal of adoption is established after the child enters CD custody, a TPR petition for either or both birth parents has been filed, subsequent placements for the child becomes necessary, and such placement would prevent future replacements and be beneficial for a specific child;
- e. Child of an older age understands and accepts an adoptive placement.
- f. An adoptive family is available or can be recruited to meet the needs of the child;

NOTE: Families selected and recruited for the child must be approved for adoption. In some instances, financial assistance may be needed for the child's care until the adoption is completed or the adoption subsidy agreement is approved for an eligible child. The family can be licensed for foster/adoptive care (FA). Licensed foster families who adopt a child who is in their care do not have to be licensed for foster/adoptive care (FA) to receive financial assistance.

Related Subject: Section 6, Resource Development; Section 4, Chapter 12, Kinship Care; Section 4, Chapter 30, Subsidizing an Adoption/Legal Guardianship.